

TOWN OF FOREST HEIGHTS
RESOLUTION 69-20

A RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE METROPOLITAN POLICE DEPARTMENT OF WASHINGTON, D.C., THE U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA AND THE FOREST HEIGHTS POLICE DEPARTMENT IN ORDER TO PARTICIPATE IN THE PRESIDENTIAL INAUGURATION TASK FORCE (PITF) IN JANUARY OF 2021

Introduced By: Mayor Habeeb-Ullah Muhammad

WHEREAS, the Charter of the Town of Forest Heights (the "Charter"), Section 33-20(b)(11) authorizes the Council to make agreements with other governmental authorities for the joint performance of or for cooperation in the performance of any governmental functions; and

WHEREAS, the Charter, Section 33-90 further authorizes the Mayor and Council to pass certain legislation of a non-permanent nature regarding an administrative matter by resolution in lieu of ordinance; and

WHEREAS, pursuant to Criminal Procedure Art., Section 2-105(b), by action as in the regular routine for legislative enactment, the governing body of a county or municipal corporation may determine the circumstances under which the police officers and other officers, agents, and employees of the county or municipal corporation, together with all necessary equipment, may lawfully go or be sent beyond the boundaries of the county or municipal corporation to any place within or outside the State; and

WHEREAS, pursuant to said Section 2-105(e)(2) of Said CP Art., a county, municipal corporation, or the Maryland-National Capital Park and Planning Commission may not make a reciprocal agreement unless the agreement provides that each party shall: (i) waive any and all claims that are against the other parties to the agreement and that may arise out of their activities outside their respective jurisdictions under the agreement; and (ii) indemnify and hold harmless the other parties to the agreement from all claims by third parties that are for property damage or personal injury and that may arise out of the activities of the other parties to the agreement outside their respective jurisdictions under the agreement; and

WHEREAS, pursuant to Section 23.9 of the Town Code, the Town Council is authorized to approve or establish police mutual aid agreements ("MAA's") or such similar reciprocal agreements entered into pursuant to § 2-105 of the Criminal Procedures Article of the Maryland Annotated Code, as amended from time to time, by written resolution of said Council, and

WHEREAS, the Council finds that the mission of the PITF as stated in the subject MOU/MAA is to achieve maximum coordination and cooperation in bring to bear combined resources to effectively implement measures to promote public safety of the President of the United States, inaugural participates, the public, visitors and residents while allowing individuals and groups to exercise their legal rights.

TOWN OF FOREST HEIGHTS
RESOLUTION 69-20

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby conditionally approves and ratifies the "Memorandum of Understanding" between the Metropolitan Police Department of Washington, D.C. (a department of the Government of the District of Columbia), the U.S. Attorney's Office for the District of Columbia and the Forest Heights Police Department (a department and law enforcement agency of the Town of Forest Heights)," attached hereto as Exhibit A and incorporated by referenced herein (the "MOU"); and

BE IT FURTHER RESOLVED, the Town Council further delegates the Chief of Police with the requisite authority to execute said MOU on behalf of the Town as provided by said MOU, and that the MOU shall be deemed to be conditionally approved, and authorized as of the effective date of this Resolution provided it passes legal sufficiency review as certified to the Chief of police in writing by the Town Attorney; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

PASSED this 5 day of November 2020.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD
KENNEDY II
NOBLE
BARNES
HINES
WASHINGTON
ATKINSON

Yea
Yea
Yea
Yea
Yea
Yea
Yea

ATTEST:

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

THE TOWN OF FOREST HEIGHTS,
MARYLAND

SIGNATURE ON FILE

By: Mayor Habeeb-Ullah Muhammad, Mayor

SIGNATURE ON FILE

By: Calvin Washington, Council President

TOWN OF FOREST HEIGHTS
RESOLUTION 69-20

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 2 day of November 2020 with 8 Aye votes and 10 Nay votes the aforesaid Resolution 69-20 passed.

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

Exhibit A. (MOU re: PITF) is attached hereto.